



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

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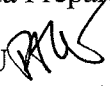
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May 22, 2013

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TO: SACHI A. HAMAI  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU   
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**  
**County Claims Board Recommendation**  
**Tatiana Lopez and Miguel Amarillas v. County of**  
**Los Angeles, et al.**  
**United States District Court Case No. CV 10-8926**

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:rfm

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Tatiana Lopez and Miguel Amarillas v. County of Los Angeles, et al., United States District Court Case No. CV 10-8926, in the amount of \$550,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit concerns allegations of violation of civil rights, false arrest, and malicious prosecution by Sheriff's Deputies.

## **CASE SUMMARY**

### **INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION**

CASE NAME	Tatiana Lopez and Miguel Amarillas vs. County of Los Angeles, et al.
CASE NUMBER	CV 10-8926
COURT	United States District Court
DATE FILED	November 19, 2011
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 550,000
ATTORNEY FOR PLAINTIFF	Thomas E. Beck, Esq.
COUNTY COUNSEL ATTORNEY	Millicent L. Rolon
NATURE OF CASE	<p>Plaintiffs Tatiana Lopez and Miguel Amarillas, allege that their federal civil rights were violated when the Los Angeles County Sheriff's Department unlawfully detained, arrested, and prosecuted them.</p> <p>Due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$550,000 is recommended.</p>
PAID ATTORNEY FEES, TO DATE	\$ 288,651
PAID COSTS, TO DATE	\$ 33,904

Case Name: Tatiana Lopez and Miguel Amarillas v. County of Los Angeles, et al.



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Wednesday, October 7, 2009, approximately 7:30 p.m.
Briefly provide a description of the incident/event:	<p><u>Tatiana Lopez and Miguel Amarillas v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2012-046</p> <p>On Wednesday, October 7, 2009, at approximately 7:30 p.m., a Los Angeles County deputy sheriff arrested the plaintiffs for a violation of California Health and Safety Code section 11378, Possession of a Controlled Substance for Sale, and California Health and Safety Code section 11550, Under the Influence of a Controlled Substance.</p> <p>Criminal charges against both plaintiffs were ultimately dismissed.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

In their lawsuit, the plaintiffs allege they were unlawfully detained and subjected to false arrest and malicious prosecution by members of the Los Angeles County Sheriff's Department.

2. Briefly describe recommended corrective actions:  
(include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of the incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in the incident.

The Los Angeles County Sheriff's Department submitted the facts in the case to representatives of the Los Angeles County District Attorney's Office. On July 17, 2012, one count of California Penal Code section 118.1, False Report, and one count of California Penal Code section 118a, False Affidavit as to Testimony as Perjury, were filed against one member of the Los Angeles County Sheriff's Department.

The Los Angeles County Sheriff's Department also initiated an internal administrative investigation to determine the extent to which one or more members of the Los Angeles County Sheriff's Department engaged in misconduct.


County of Los Angeles  
Summary Corrective Action Plan


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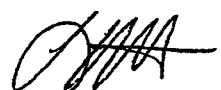
3. Are the corrective actions addressing department-wide system issues?

- ☐ Yes – The corrective actions address department-wide system issues.  
☒ No – The corrective actions are only applicable to the affected parties.

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)  Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 4/23/13

Name: (Department Head)  Glen Dragovich, Division Director Administrative Services and Training Division	
Signature: 	Date: 4/24/13

Chief Executive Office Risk Management Inspector General USE ONLY	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes, the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No, the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)  LEO COSTANTINO	
Signature: 	Date: 4-25-13